

# VICTORIA GOVERNMENT GAZETTE

No. S 68 Friday 18 December 1992

By Authority L. V. North, Government Printer Melbourne

**SPECIAL**

## *Fisheries Act 1968*

### FISHERIES NOTICE No. 26/1992

I, Charles Geoffrey Coleman, Minister for Natural Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice:

Dated: 17 December 1992

C. G. COLEMAN

Minister for Natural Resources

### FISHERIES (SCALLOP FISHING CLOSURE) NOTICE 1992

#### *Title*

1. This Notice may be cited as the Fisheries (Scallop Fishing Closure) Notice No. 26/1992.

#### *Commencement*

2. This Notice comes into operation on 20 December 1992.

#### *Objective*

3. The objective of this Notice is to close all Victorian waters to commercial scallop fishing until 19 March 1993.

#### *Authorising Provision*

4. This Notice is made under section 80 of the *Fisheries Act 1968*.

#### *Close Season*

5. A person must not use a dredge for taking scallops from Victorian waters during the period from 20 December 1992 to 19 March 1993 (both dates inclusive).

6. The provisions of this Notice do not apply to any holder of a scallop licence permitting the dredging or taking of scallops from any Victorian waters who has the prior written authorisation of the Manager, Fisheries Branch of the Department of Conservation and Natural Resources to undertake surveys of scallop stocks.

#### *Penalty*

7. Any person who contravenes this Notice is liable to a penalty of 20 penalty units.

## *Fisheries Act 1968*

### FISHERIES NOTICE No. 24/1992

I, Charles Geoffrey Coleman, Minister for Natural Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice:

Dated: 17 December 1992

C. G. COLEMAN

Minister for Natural Resources

### FISHERIES (SHARK FISHING) (No. 4) NOTICE 1992

#### *Title*

1. This Notice may be cited as the Fisheries (Shark Fishing) (No. 4) Notice No. 24/1992.

#### *Commencement*

2. This Notice comes into operation on 24 December 1992.

#### *Objective*

3. The objective of this Notice is to prohibit the commercial targeting of shark in all Victorian waters other than Port Phillip Bay, Western Port and Corner Inlet as a consequence of State and Commonwealth management arrangements.

#### *Authorising Provision*

4. This Notice is made under section 80 of the *Fisheries Act 1968*.

#### *Certain Shark Gillnets and Longlines Not to be Used*

5. (1) A person must not use in Victorian waters during the period commencing on the date of this Notice and ending on 23 March 1993—

- (a) any mesh net containing any meshes measuring greater than 150 millimetres.
- (b) any one line or combination of lines with more than 200 hooks attached where the mainline is of a sinking rope with a diameter of 6 millimetres or more.

(2) The provisions of sub-clause (1) do not apply to persons using mesh nets and lines in the waters of Port Phillip Bay, Western Port and Corner Inlet.

*By Catch*

6. (1) A person must not—

- (a) take or retain on board any vessel gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) with a total combined weight of more than 50 kilograms in or adjacent to Victorian waters; or
- (b) be in possession of gummy Shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) with a total combined weight of more than 50 kilograms in or adjacent to Victorian waters.

(2) A person must not land gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) otherwise than in the form of a carcass.

(3) The provisions of sub-clauses (1) and (2) do not apply to a person who takes gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) from the waters of Port Phillip Bay, Western Port or Corner Inlet; or

(4) The provisions of sub-clause (1) (b) does not apply to a person who—

- (a) holds a Commonwealth Fishing Boat Licence issued pursuant to Paragraph 9 (2) (a) of the Commonwealth Fisheries Act 1952 which is endorsed to exempt the licence holder from the prohibitions contained in Commonwealth Fisheries Notice 163A; or
- (b) holds a Commonwealth Fishing Boat Licence issued pursuant to Paragraph 9 (2) (b) of the Commonwealth Fisheries Act 1952 which authorises use of the boat in the southern shark gillnet fishery; or
- (c) holds a Fishing permit issued pursuant to section 32 (1) of the Commonwealth Fisheries Management Act 1991.

(5) For the purpose of this clause "carcass" means the body of a shark which is not cut or mutilated in any manner whatsoever other than to remove the gut and head forward and clear of the posterior (fifth) gill slit.

*Penalty*

7. Any person who contravenes this Notice is liable to a penalty of 20 penalty units.

*Fisheries Act 1968*

FISHERIES NOTICE No. 25/1992

I, Charles Geoffrey Coleman, Minister for Natural Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice:

Dated: 17 December 1992

C. G. COLEMAN

Minister for Natural Resources

FISHERIES (GIPPSLAND LAKES MUSSEL FISHERY) (No. 4) NOTICE 1992

*Title*

1. This Notice may be cited as the Fisheries (Gippsland Lakes Mussel Fishery) (No. 4) Notice No. 25/1992.

*Commencement*

2. This Notice comes into operation on 24 December 1992.

*Objective*

3. The objective of this Notice is to control the taking of mussels from mussel beds located in the Gippsland Lakes for a period of three months.

*Authorising Provision*

4. This Notice is made under section 80 of the *Fisheries Act 1968*.

*Definitions*

5. In this Notice:

"Diving Equipment" means equipment which is specifically designed to assist breathing while the user is wholly or partly submerged in water and includes breathing regulators, S.C.U.B.A equipment, equipment which is capable of pumping air to a regulator and snorkels.

"Fish Bin" means a fish bin with a nominal capacity of 54.5 litres.

*Hours of Operation for Taking Mussels*

6. The holder of a licence to take mussels for sale from the Gippsland Lakes must not take mussels from the waters of the Gippsland Lakes other than between the hours of 6.30 a.m. and 4.30 p.m. on any Monday.

*Catch Limit*

7. The holder of a licence to take mussels

from the Gippsland Lakes must not take, store, hold or possess more than a total of 150 kilograms of mussels on any one day.

*Other Restrictions*

8. The holder of a Master Fisherman's Licence—

- (a) must ensure that mussels are cleaned within 20 metres of the point where the mussels were harvested; and
- (b) must ensure that other than when using a catch bag while diving, mussels are only contained in fish bins; and
- (c) must not be in possession of more than 5 full or partly filled fish bins containing mussels; and
- (d) must be present while mussels are taken; and
- (e) must ensure that diving equipment is not used from the master fisherman's boat other than between the hours of 6.30 a.m. and 4.30 p.m. on any Monday.

*Penalty*

9. Any person who contravenes this Notice is liable to a penalty of 20 penalty units.

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